



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

November 29, 2006

### Ordinance

**Proposed No.** 2006-0568.1

**Sponsors** Phillips

1 AN ORDINANCE authorizing a special assessment for  
2 resource conservation for natural resource conservation  
3 purposes on all nonexempt properties within the King  
4 Conservation District of King County of nine dollars and  
5 ninety-eight cents per parcel plus one-cent per acre for  
6 parcels between one and five acres or two cents per acre for  
7 parcels greater than five acres, for the years 2007 through  
8 2011.

11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 **SECTION 1. Findings:**

13 A. The King Conservation District is a governmental subdivision of the state of  
14 Washington, organized under chapter 89.08 RCW to protect and conserve natural  
15 resources throughout King County except within the boundaries of the incorporated cities  
16 of Enumclaw, Federal Way, Milton, Pacific and Skykomish.

17           B. RCW 89.08.400 authorizes special assessments for conservation districts for  
18 activities and programs to conserve natural resources to be imposed by the legislative  
19 authority of the county in which the conservation district is located for a period not to  
20 exceed ten years.

21           C. The King Conservation District provides the benefits of resource practices,  
22 programs and projects pursuant to chapter 89.08 RCW available to all parcel owners or  
23 land occupiers within the district, including, but not limited to: technical assistance to  
24 landowners to meet the requirements of state, county and municipal regulations relating  
25 to conservation; technical support for King County agricultural programs; assistance to  
26 landowners in resolving code enforcement issues relating to conservation and  
27 environmental protection; development of plans for livestock manure storage facilities;  
28 assistance to county and municipal departments with water quality coordination and  
29 protections; coordination of intergovernmental partnerships to carry out joint projects,  
30 including the development and implementation of watershed plans; assistance to  
31 governments to develop livestock and agricultural laws and regulations; research to  
32 determine and develop the most effective best management practices to improve water  
33 quality; development of farm plans; cost-sharing funding for sensitive area best  
34 management practices implementation; and other such natural resource conservation  
35 activities as provided for in chapter 89.08 RCW.

36           D. The declaration of legislative intent in establishment of conservation districts  
37 in RCW 89.08.010 is incorporated in this ordinance, notably the Legislature's  
38 acknowledgement that "there is a pressing need for the conservation of renewable  
39 resources in all areas of the state, whether urban, suburban, or rural, and that the benefits

40 of resource practices, programs, and projects, as carried out by the state conservation  
41 commission and by the conservation districts, should be available to all such areas;  
42 therefore, it is hereby declared to be the policy of the legislature to provide for the  
43 conservation of the renewable resources of this state, and for the control and prevention  
44 of soil erosion, and for the prevention of flood water and sediment damages, and for  
45 furthering agricultural and nonagricultural phases of conservation, development,  
46 utilization, and disposal of water, and thereby to preserve natural resources, control  
47 floods, prevent impairment of dams and reservoirs, assist in maintaining the navigability  
48 of rivers and harbors, preserve wildlife, protect the tax base, protect public lands, and  
49 protect and promote the health, safety, and general welfare of the people of this state."

50 E. Pursuant to RCW 89.08.400, any system of special assessments for the  
51 conservation district shall not apply in cities that are outside of the boundaries of the  
52 district, though such cities may be located within King County and may receive a smaller  
53 indirect benefit from the activities of the district and its citizens do not have direct access  
54 to conservation services provided as a result of this assessment.

55 F. On July 28, 2006, the King Conservation District board of supervisors adopted  
56 Resolution 2006-01 requesting King County to approve its proposed system of  
57 assessments and authorize a special conservation fee assessment for a five -year period,  
58 from January 1, 2007, through December 31, 2011, of nine dollars and ninety-eight cents  
59 per parcel on all King County parcels except those classified forestry; provided that the  
60 conservation assessment also includes a zero dollars per acre annual rate for parcels less  
61 than one acre, a one cent per acre annual rate for parcels between one and five acres and a  
62 two cents per acre annual rate for parcels greater than five acres. Accompanying the King

63 Conservation District's system of assessments proposal was a special benefit analysis  
64 conducted by the district that documents the economic value or benefits of the district's  
65 natural resource conservation programs and services available to all assessed lands within  
66 the district. This report shows that the value of these programs and services exceeds ten  
67 dollars per parcel.

68 G. For the purposes set forth in chapter 89.08 RCW, the public interest is served  
69 by the imposition of the special assessment for the conservation district, and all lands  
70 within the boundaries of the King Conservation District, with forestlands, parcels owned  
71 by the federal government and parcels owned by federally recognized tribes or members  
72 of such tribes that are located within the historical boundaries of a reservation being  
73 exempted from charge, have derived and will continue to derive a benefit from the  
74 natural resource conservation projects and programs equal to or exceeding the ten dollars  
75 per parcel assessment. Except for the parcels exempted herein, the assessment of nine  
76 dollars and ninety-eight cents per parcel on all King County parcels, also including a  
77 zero dollars per acre annual rate for parcels less than one acre, a one cent per acre annual  
78 rate for parcels between one and five acres and a two cents per acre annual rate for  
79 parcels greater than five acres, is reasonably calculated to fund and provide public access  
80 to conservation activities that shall continue to specially benefit these lands, and these  
81 rate amounts do not exceed the special benefits that such parcels receive or will receive  
82 from these activities. The conservation activities funded herein consist of those projects,  
83 programs and activities that are more fully described in Attachment A to this ordinance,  
84 the proposed interlocal agreement between King County and the King Conservation  
85 District, which agreement provides for cooperative efforts on the part of King County and

86 the King Conservation District to fund the priorities provided for in the agreement and to  
87 promote the purposes of RCW 89.08.010 as described in Section D. above to improve the  
88 quality of water and the conservation of natural resources in King County and to assist  
89 landowners in King County to comply with laws and regulations that protect the quality  
90 of the County's water and natural resources.

91       SECTION 2. A natural resource conservation special assessment for the King  
92 Conservation District of nine dollars and ninety-eight cents per parcel on all property  
93 within the district plus an additional zero dollars per acre annual rate for parcels less than  
94 one acre, a one cent per acre annual rate for parcels between one and five acres and a two  
95 cents per acre annual rate for parcels greater than five acres, is hereby imposed for  
96 collection effective January 1, 2007, through December 31, 2011, with the following  
97 lands exempted from such charges: lands assessed as forestland; parcels owned by the  
98 federal government; and parcels owned by federally recognized tribes or members of  
99 such tribes that are located within the historical boundaries of a reservation. The use of  
100 revenues from this assessment is subject to the terms of the interlocal agreement between  
101 the King Conservation District and King County, Attachment A to this ordinance, which  
102 may be amended from time to time.

103       SECTION 3. The amount of the assessment shall constitute a lien against any  
104 property for which the assessment has not been paid by the date it is due. A notice of lien  
105 shall be sent to each owner of such property.

106       SECTION 4. Pursuant to RCW 89.08.400(2), the King Conservation District  
107 special assessments may be revised by the King County board of appeals with respect to  
108 individual parcels. Appeals of the special assessment for the King Conservation District

109 must be filed with the King County board of appeals in a manner prescribed by the board  
110 on or before March 30, 2007, for the 2007 assessment, and by March 30 of each ensuing  
111 calendar year for that year's assessment. The board of appeals shall hold a public hearing to  
112 consider objections to the special assessment for the King Conservation District, act as a  
113 board of equalization and make any adjustments to the special assessment. The board  
114 may make reductions in assessments for properties which meet the exemption criteria  
115 established in RCW 89.08.400 or other reasonable grounds consistent with chapter 89.08  
116 RCW.

117       SECTION 5. By December 31, 2006, the executive shall file with the clerk of the  
118 council a fully executed original of the interlocal agreement, substantially in the same form  
119 as Attachment A to this ordinance. If the executive fails to file the original of the interlocal  
120 agreement, the special assessment provided for in this ordinance shall not be imposed and  
121 shall not be collected for the five-year period, beginning in 2007, as described in section 2 of  
122 this ordinance. In the event that either party to the interlocal agreement terminates the  
123 agreement, the special assessment provided for in this ordinance shall be rescinded for the  
124 year or years following the termination.

125       SECTION 6. The public interest is served by the authorization of the King  
126 Conservation District special assessment enacted by the state of Washington. The special  
127 assessments to be imposed on any land is less than or equal to the special benefit that  
128 each parcel receives or will receive from the natural resource conservation activities  
129 funded by the assessment.

130       SECTION 7. All provisions of this ordinance are necessary to accomplish the  
131 intent of the council in imposing the natural resource special assessment for the duration

**Ordinance**

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132 of the assessment from January 1, 2007, through December 31, 2011, and are not  
133 severable from each other. If any provision of this ordinance is declared by a final court  
134 order to be invalid, all provisions of this ordinance shall be deemed to be of no force or  
135 effect and the natural resource assessment authorized herein shall not be collected, or if  
136 collected shall be refunded by the King Conservation District.  
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KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

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Larry Phillips, Chair

ATTEST:

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Anne Noris, Clerk of the Council

APPROVED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

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Ron Sims, County Executive

**Attachments**      A. An Interlocal Agreement Between King County and the King Conservation District  
Relating to Natural Resource Conservation

